

TOWN BOARD

The Town Board, Town of Highlands, held a workshop on Monday, December 19, 2011 at Town Hall, 254 Main St, Highland Falls, NY at 7:30pm.

PRESENT:	Edward Magryta	----	Supervisor
	Laurie R. Tautel	----	Council Member
	Mervin R. Livsey, Jr.	----	Council Member
	Holly Gokey	----	Council Member (Arrived 8:15pm)

ABSENT:	William Edsall	----	Council Member
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Supervisor Magryta opened the workshop at 7:45pm.

Supervisor Magryta stated that since the public hearing on the water project, the Board has had ample time to review the information and a vote will be held on Thursday, December 22 at 7:30pm.

Council Member Livsey stated made it clear that the “courtroom” is a meeting room, not just a court room. Mr. Livsey further stated that anything removed from a Town building should be approved by the Town Board first.

PUBLIC COMMENT

Bernie Cassidy asked how the vote is handled.

Supervisor Magryta said the Board will vote for or against the project. If the vote passes, it is subject to a permissive referendum which will give the residents in Water District 2 30 days to present to the Town Clerk a certain number of signatures which will enable the residents to vote on the project at a special election or a general election.

Doris Lent said she is not against the water project, but wants to see the maximum number of litigants reached at the lowest cost. Ms. Lent asked what the administration fees were.

Justin Rider explained that the district allocates a certain amount for administrative fees.

Ms. Lent asked if the EFC loan was for 20 or 30 years.

Mr. Rider said the standard is 20 years, but that has not been determined yet.

TOWN BOARD

DECEMBER 19, 2011

Ms. Lent asked if the Town had applied for anymore grants to help with the water system.

Supervisor Magryta said that if the project is viable, the Town can apply for grants.

TOWN AUDIT UPDATE

Supervisor Magryta said the auditors are here to give an update and provide the Board with a draft copy of the report.

Donna Crowley said the fieldwork is done and the Board has the draft for review. Ms. Crowley said the Board will have the final report in the next couple of weeks. She recommends the Town continues to get the records in order. Ms. Crowley explained that because there has not been an audit in 6 years, her firm is only able to render a clean opinion.

(Council Member Gokey arrives – 8:15pm)

Supervisor Magryta thanked Ms. Blauvelt for her hard work and said that the final report will be available in the Town Clerk's office in a couple of weeks.

MINUTES

Supervisor Magryta said there are a lot of minutes to approve because this has not been done while the Board has been working on important issues.

Council Member Livsey made a motion seconded by Council Member Tautel to approve the minutes from September 26, October 3, October 13, October 17, October 20, October 24, October 27, October 28, November 10 and November 14 Town Board meetings.

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

Council Member Livsey made a motion seconded by Council Member Tautel to approve the minutes from the November 20 Town Board meeting.

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

AUDIT OF ACCOUNTS PAYABLE

Council Member Tautel made a motion seconded by Council Member Livsey to approve the Accounts Payables for October 7 (\$58,037.93), October 14 (\$2,181.38), October 21 (\$70,529.28), November 4 (\$99,246.80), November 15 (\$6,284.04), November 18 (\$165,573.02), December 2 (\$49,995.46) and December 2 (\$2,012).

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

Supervisor Magryta said the spending into the Fall has been excellent and he expects to carryover in excess of \$1 million to 2012.

SEWER BOND RE-LEVY RESOLUTION

Council Member Gokey made a motion seconded by Council Member Tautel to adopt the resolution to re-levy the 2011 Sewer Charges. The amount to be re-levied is \$35,894.45.

RESOLUTION ADOPTED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

******RESOLUTION ATTACHED******

UNPAID WATER BILLS SHUTOFF

Supervisor Magryta said the Water Department has asked the Board to authorize shutting off three water accounts. The accounts are #326 owing \$330.95, #457 owing \$590.95 and #462 owing \$624.30.

Council Member Livsey doesn't like the idea of shutting off someone's water and thinks there are other ways to get the money owed.

Mr. Rider explained that this is the cleanest option outlined in the Town code.

Council Member Gokey made a motion seconded by Supervisor Magryta to engage in the shut off process with Accounts 326, 457 and 462.

MOTION CARRIED: 4-ayes (Magryta, Tautel, Gokey)
1-nays (Livsey)
1-absent (Edsall)

TAX STABILIZATION RESERVE FUND – FUNDING REQUEST

Supervisor Magryta said he would like to fund the Tax Stabilization Reserve Fund as follows: \$350,000 in the A Fund and \$150,000 in the B Fund. The Supervisor said this will give \$500,000 of protection funding for the next budget process.

Council Member Tautel said she would like to hold off until Thursday when Council Member Edsall is here. Ms. Tautel also thanked Council Member Edsall for his work on this.

Council Member Livsey said Council Member Edsall is aware of this.

Council Member Livsey made a motion seconded by Council Member Gokey to fund the Tax Stabilization Reserve Fund with \$350,000 in the A Fund and \$150,000 in the B fund.

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

BUDGET TRANSFERS

Council Member Livsey made a motion seconded by Council Member Gokey to approve the transfer of \$1,734.23 from the Park Reserve Fund to Beautification (A8510.0400).

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

Council Member Tautel made a motion seconded by Council Member Livsey to approve the transfer of \$19,309.99 from the Park Reserve Fund to General Repairs-Parks (A7110.0450).

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

Council Member Livsey made a motion seconded by Council Member Tautel to approve the transfer of \$4,000 from Court Officer (A1110.0103) to Court Clerk OT (A1110.0160).

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

TOWN BOARD

DECEMBER 19, 2011

Council Member Gokey made a motion seconded by Council Member Tautel to approve the transfer of \$3,100 from Recreation Revenue (A.0000.2015) to Expenses Reimbursed by Parents (7140.0426).

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

Council Member Tautel made a motion seconded by Council Member Livsey to approve the transfer of \$2,206 from the Contingent Fund (A1990.0400) to Zoning-Legal Services (A8010.0471).

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

Council Member Livsey made a motion seconded by Council Member Tautel to approve the transfer of \$300 from Zoning-Seminar Expenses (A8010.0460) to Zoning-Other Expenses (A8010.0400).

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

Council Member Livsey made a motion seconded by Council Member Tautel to approve the transfer of \$700 from Dog Control-Equipment (A3510.0200) to Dog Control-Other Expenses (A3510.0400).

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

Council Member Gokey made a motion seconded by Council Member Tautel to approve the transfer of \$500 from Long Pond Personal Service (A7180.0100) to Year Round Personal Service (A7140.0100).

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

Council Member Gokey made a motion seconded by Council Member Livsey to approve the transfer of \$791.30 from Supplies (SA4540.0410) to Training (SA4540.0460).

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

TOWN BOARD

DECEMBER 19, 2011

Council Member Gokey made a motion seconded by Council Member Livsey to approve the transfer of \$4,500 from Contingent (B1990.0400) to Communications (B3020.0440).

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

Council Member Tautel made a motion seconded by Council Member Gokey to approve the transfer of \$6,000 from Salary (B3120.0100) to Fuel (B3120.0421) and \$1,000 from Salary (B3120.0100) to Vehicle Maintenance (B3120.0451).

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

Council Member Tautel made a motion seconded by Council Member Livsey to approve the transfer of \$1,060 from Compensation Insurance (B9040.0800) to Unemployment Insurance (B9050.0800).

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

Council Member Tautel made a motion seconded by Council Member Gokey to approve the transfer of \$21,000 from the Contingent Acct (B1990.0400) to Medical (DB9060.0800).

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

Council Member Tautel made a motion seconded by Council Member Gokey to approve the transfer of \$9,000 from Benefits (DB9020.0800) to Medical (DB9060.0800).

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

Council Member Tautel made a motion seconded by Council Member Livsey to approve the transfer of \$7,500 from the Contingent Acct (B1990.0400) to Liability Insurance (B1910.0430).

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

TOWN BOARD

DECEMBER 19, 2011

Council Member Tautel made a motion seconded by Council Member Livsey to approve the transfer of \$475 from the Service Award Program (SA9025.0800) to Unemployment Insurance (SA9050.0800).

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

Council Member Tautel made a motion seconded by Council Member Gokey to approve the transfer of \$1,275 from Compensation Insurance (A9040.0800) to Unemployment Insurance (A9050.0800).

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

Council Member Tautel made a motion seconded by Council Member Gokey to approve the transfer of \$432 from Medical Insurance Buyout (DA9060.0801) to FICA (DA9030.0800) and \$443 from Medical Insurance Buyout (DA9060.0801) to Health Insurance (DA9060.0800).

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

Council Member Tautel made a motion seconded by Council Member Livsey to approve the transfer of \$2,000 from Town Hall Contracted Services (A1620.0440) to Town Hall Other Expenses (A1620.0400).

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

Council Member Tautel made a motion seconded by Council Member Livsey to approve the transfer of \$4,600 from Town Hall Planning & Renovations (A1620.0450) to Deputy Town Clerk Salary (A1410.0101).

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

Council Member Tautel made a motion seconded by Council Member Livsey to approve the transfer of \$1,350 from Revaluation Expenses (A1355.0454) to Data Collector (A1355.0104).

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

TOWN BOARD

DECEMBER 19, 2011

Council Member Gokey made a motion seconded by Council Member Livsey to approve the transfer of \$13,100 from Contingent (A1990.0400) to Insurance (A1910.0432).

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

Council Member Tautel made a motion seconded by Council Member Gokey to approve the transfer of \$1,000 from Contracted Expenses (A1315.0440) to Other Expenses (A1315.0400).

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

EMT HIRE

Council Member Livsey asked the Board to consider hiring Morgana Young as a new EMT. Mr. Livsey said this is very important to do tonight because the ambulance is very shorthanded with Capt. Stroppel being out.

Council Member Tautel said she spoke to Council Member Edsall about Ms. Young and he believes that she is a good candidate and would recommend hiring her.

Council Member Tautel made a motion seconded by Council Member Livsey to hire Morgana Young as a part-time EMT at a rate of \$14.41 per hour.

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

PLANNING BOARD REQUEST

Supervisor Magryta has received a request from Planning Board Chair Erik Smith to pay some expenses that the escrow can't meet. The Supervisor said Town will be reimbursed by the escrow account when the money is received.

Erik Smith explained that the Planning Board has been pursuing this applicant. Mr. Smith said this money would pay for the engineering and planning fees.

Council Member Tautel made a motion seconded by Council Member Livsey to transfer \$2,840 from General Fund Cash (A.0000.0200) to Trust and Agency Cash (TA.0000.0200) to make the payments.

TOWN WI-FI DISCUSSION

Council Member Tautel said the Wi-Fi is only used during the budget process and suggested just putting up a sign when it is in use.

Council Member Livsey would like to leave the sign up at all times.

Deborah Kopald spoke to the Board about the dangers of Wi-Fi.

Council Member Tautel made a motion seconded by Council Member Livsey to put a sign on the front of the Town Hall that states "wireless activity in the Town Hall".

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)

0-nays

1-absent (Edsall)

OUTSTANDING COMMITTEE ISSUES

Supervisor Magryta questioned the advertisement for custodian and asked the Town Clerk to check and see if the advertisement is legal.

Dial-A-Bus

Council Member Livsey asked the Supervisor to sign the new contract for the Dial-A-Bus. Mr. Livsey also said that the Town makes no money on the Dial-A-Bus and that it is just a convenience for the Town residents that he wishes more people would use.

Supervisor Magryta said that the County is asking the Town what size bus they want.

Council Member Livsey would like to stay with the same size the Town already has.

Supervisor Magryta asked Council Member Livsey to ask Ms. Solan to notify Orange County that the Town wants to stay with the same size bus.

Dog Pound

Supervisor Magryta has received several complaints about the dog pound.

Council Member Livsey said the place is clean and he doesn't see anything wrong.

Police Department

Supervisor Magryta said that Chief Quinn has requested a Petty Cash fund of \$100.

Council Member Livsey made a motion seconded by Council Member Tautel to authorize the Police Department to have a \$100 petty cash fund.

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

Supervisor Magryta would like to set aside some money to provide the noise and light abatement to the property on Pellwood Lake that adjoins a Town owned building. The Supervisor received an estimate of approximately \$2,500 to complete the work.

Council Member Tautel said the Town had already agreed to the shields and fencing.

Supervisor Magryta would like to set an amount so it doesn't fall through the cracks.

Council Member Livsey made a motion seconded by Council Member Gokey to set aside \$2,500 to provide noise and light abatement to the property on Pellwood Lake that is adjacent to a Town owned building as promised.

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

Council Member Gokey said that the state requires the Supervisor to sign a document stating that the Town did the re-val and is going to maintain it. This will keep the Town's equalization rate at 100% and the State will reimburse the Town \$2-\$5 per parcel.

Supervisor Magryta asked the Board to review the document and it will be brought up at Thursday's special meeting.

Supervisor Magryta said the Attorney General has contacted the Town's in New York about an Ethics Committee. The Supervisor said the new Board should look to re-establish the Ethics Committee.

PUBLIC COMMENT

Ann Marie Feducia said the Dial-A-Bus is not used enough and she would like the Town to advertise better that it is not just for seniors.

TOWN BOARD

DECEMBER 19, 2011

Greg Maher asked if the grant money for the dugouts at Brooks' Park had been received.

Supervisor Magryta said it had not.

Greg Maher said he has never seen any problems at the dog pound.

Judge Fatsis asked the Board to look into the idea of a Trust Account for the money that a resident wants to donate to the Community Service Program

Council Member Gokey said the Comptroller would set up that account.

Supervisor Magryta asked Mr. Fatsis to get a commitment in writing and the Board will look at it.

Mr. Fatsis will contact the resident to make sure the offer still stands.

EXECUTIVE SESSION

Council Member Livsey made a motion seconded by Council Member Tautel to go into executive session to discuss legal matters relating to the Town. Board went into executive session at 9:50pm.

MOTION CARRIED: 4-ayes (Magryta, Livsey, Tautel, Gokey)
0-nays
1-absent (Edsall)

**RESOLUTION
OF
DECEMBER 19, 2011**

RESOLUTION TO RELEVY 2011 SEWER CHARGES

WHEREAS, the Town of Highlands levied a Sewer Charge for 2011 payable semi-annually in January and July 2011.

WHEREAS, certain said charges remain unpaid although the time for their payment has passed.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Highlands Town Board requests the Orange County Legislature relevy and include within its Warrant to the Receiver of Taxes of the Town of Highlands for the County and Town Taxes, the 2011 unpaid sewer charges of the Fort Montgomery Sewer Improvement Area as set forth in the list annexed hereto and certified as true and correct.

The question of the adoption of the foregoing resolution was duly put to a vote which resulted as follows:

William Edsall, Council Member	voting: Absent
Holly Gokey, Council Member	voting: Aye
Laurie R. Tautel, Council Member	voting: Aye
Mervin R. Livsey, Jr., Council Member	voting: Aye
Edward Magryta, Supervisor	voting: Aye

The foregoing constitutes a true and complete copy of a resolution duly made, seconded and adopted at a workshop of the Town Board, Town of Highlands, on December 19, 2011.

June Patterson, Town Clerk